

Department of Energy

§ 433.8

EFFECTIVE DATE NOTE: At 80 FR 68757, Nov. 6, 2015, § 433.2 was amended by adding in alphabetical order the definition of “ASHRAE Baseline Building 2013”, effective Jan. 5, 2016. For the convenience of the user, the added text is set forth as follows:

§ 433.2 Definitions.

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ASHRAE Baseline Building 2013 means a building that is otherwise identical to the proposed building but is designed to meet, but not exceed, the energy efficiency specifications in ANSI/ASHRAE/IES Standard 90.1-2013, Energy Standard for Buildings Except Low-Rise Residential Buildings, 2013 (incorporated by reference, see § 433.3).

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§ 433.3 Materials incorporated by reference.

(a) *General.* The Department of Energy incorporates by reference the energy performance standards listed in paragraph (b) of this section into 10 CFR part 433. The Director of the Federal Register has approved the material listed in paragraph (b) of this section for incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Any subsequent amendment to a standard by the standard-setting organization will not affect DOE regulations unless and until DOE amends its energy performance standards. Material is incorporated as it exists on the date of the approval, and a notice of any change in the material will be published in the FEDERAL REGISTER. All approved material is available for inspection at the U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Sixth Floor, 950 L’Enfant Plaza, SW., Washington, DC 20024, (202) 586-2945. Also, this material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) *ASHRAE.* American Society of Heating Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Cir-

cle, NE, Atlanta, GA 30329, (404) 636-8400; or go to, <http://www.ashrae.org/>.

(1) ANSI/ASHRAE/IESNA 90.1-2004, (“ASHRAE 90.1-2004”), Energy Standard for Buildings Except Low-Rise Residential Buildings, January 2004, ISSN 1041-2336, IBR approved for §§ 433.2, 433.100, and 433.101;

(2) ANSI/ASHRAE/IESNA Standard 90.1-2007, (“ASHRAE 90.1-2007”), Energy Standard for Buildings Except Low-Rise Residential Buildings, 2007, ISSN 1041-2336, IBR approved for §§ 433.2, 433.100, and 433.101.

(3) ANSI/ASHRAE/IESNA 90.1-2010, (“ASHRAE 90.1-2010”), Energy Standard for Buildings Except Low-Rise Residential Buildings, I-P Edition, Copyright 2010, IBR approved for §§ 433.2, 433.100, and 433.101.

[76 FR 49284, Aug. 10, 2011, as amended at 78 FR 40953, July 9, 2013; 79 FR 61569, Oct. 14, 2014]

EFFECTIVE DATE NOTE: At 80 FR 68757, Nov. 6, 2015, § 433.3 was amended by adding paragraph (b)(4), effective Jan. 5, 2016. For the convenience of the user, the added text is set forth as follows:

§ 433.3 Materials incorporated by reference.

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(b) * * *

(4) ANSI/ASHRAE/IES 90.1-2013, (“ASHRAE 90.1-2013”), Energy Standard for Buildings Except Low-Rise Residential Buildings, I-P Edition, Copyright 2013, IBR approved for §§ 433.2, 433.100, and 433.101.

§§ 433.4–433.7 [Reserved]

§ 433.8 Life-cycle costing.

Each Federal agency shall determine life-cycle cost-effectiveness by using the procedures set out in subpart A of part 436. A Federal agency may choose to use any of four methods, including lower life-cycle costs, positive net savings, savings-to-investment ratio that is estimated to be greater than one, and an adjusted internal rate of return that is estimated to be greater than the discount rate as listed in OMB Circular Number A-94 “Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs.”